

**IN THE CIRCUIT COURT OF MARSHALL COUNTY, WEST VIRGINIA  
BUSINESS COURT DIVISION**

**AXIAL CORPORATION and  
WESTLAKE CHEMICAL  
CORPORATION,**

**Plaintiffs,**

**vs.**

**NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA., *et al.*,**

**Defendants.**

**Civil Action No.: 19-C-59  
Presiding Judge Wilkes  
Resolution Judges Carl and Nines**

JOSEPH M. RUOCCO

2022 JAN 27 PM 1:55

FILED

**ORDER OF CONTINUANCE**


This matter came before the Court this 27th day of January, 2022. The Court, considering the issues presently before the Court, finds as follows.

Due to the Court's recognition regarding the finalization of the jury verdict in the lawsuit and jury trial which occurred in the Court of Common Pleas of Allegheny County, Pennsylvania, including pending, but unresolved post-trial motions on the jury's verdict, as well as their potential applicability to the issue of damages to be decided in this matter, the Court finds the trial and pretrial conference in this civil action should be continued until such time that a final decision is rendered by Judge Ward in the Allegheny County case, as such decision may bear upon a substantial factor to be considered in the instant case. The Court finds in the interest of judicial economy, the jury trial and pretrial conference dates that are currently set are hereby CONTINUED. The mediation deadline is also extended and CONTINUED generally at this time. All other deadlines in the Court's prior scheduling orders remain in full force and effect.

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The Court Orders that this civil action be continued generally until such time as the Court enters an amended Scheduling Order; the Court will convene a scheduling conference once the pending motions for summary judgment have been decided.

The Court directs the Circuit Clerk to distribute attested copies of this order to all counsel of record, and to the Business Court Central Office at West Virginia Business Court Division, 380 West South Street, Suite 2100, Martinsburg, West Virginia, 25401.



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JUDGE CHRISTOPHER C. WILKES  
JUDGE OF THE WEST VIRGINIA  
BUSINESS COURT DIVISION